

## Bureau of Prisons, Justice

## § 513.40

Prisons may terminate or suspend release of information to that agency.

[53 FR 15538, Apr. 29, 1988]

### Subpart D—Release of Information

SOURCE: 61 FR 64950, Dec. 9, 1996, unless otherwise noted.

#### GENERAL PROVISIONS AND PROCEDURES

##### § 513.30 Purpose and scope.

This subpart establishes procedures for the release of requested records in possession of the Federal Bureau of Prisons ("Bureau"). It is intended to implement provisions of the Freedom of Information Act (FOIA), 5 U.S.C. 552, and the Privacy Act, 5 U.S.C. 552a, and to supplement Department of Justice (DOJ) regulations concerning the production or disclosure of records or information, 28 CFR part 16.

##### § 513.31 Limitations.

(a) *Social Security Numbers.* As of September 27, 1975, Social Security Numbers may not be used in their entirety as a method of identification for any Bureau record system, unless such use is authorized by statute or by regulation adopted prior to January 1, 1975.

(b) *Employee records.* Access and amendment of employee personnel records under the Privacy Act are governed by Office of Personnel Management regulations published in 5 CFR part 297 and by Department of Justice regulations published in 28 CFR part 16.

##### § 513.32 Guidelines for disclosure.

The Bureau provides for the disclosure of agency information pursuant to applicable laws, e.g. the Freedom of Information Act (5 U.S.C. 552), and the Privacy Act (5 U.S.C. 552a).

##### § 513.33 Production of records in court.

Bureau records are often sought by subpoena, court order, or other court demand, in connection with court proceedings. The Attorney General has directed that these records may not be produced in court without the approval of the Attorney General or his or her

designee. The guidelines are set forth in 28 CFR part 16, subpart B.

##### § 513.34 Protection of individual privacy—disclosure of records to third parties.

(a) Information that concerns an individual and is contained in a system of records maintained by the Bureau shall not be disclosed to any person, or to another agency except under the provisions of the Privacy Act, 5 U.S.C. 552a, the Freedom of Information Act, 5 U.S.C. 552, and Departmental regulations.

(b) Lists of Bureau inmates shall not be disclosed.

##### § 513.35 Accounting/nonaccounting of disclosures to third parties.

Accounting/nonaccounting of disclosures to third parties shall be made in accordance with Department of Justice regulations contained in 28 CFR 16.52.

##### § 513.36 Government contractors.

(a) No Bureau component may contract for the operation of a record system by or on behalf of the Bureau without the express written approval of the Director or the Director's designee.

(b) Any contract which is approved shall contain the standard contract requirements promulgated by the General Services Administration (GSA) to ensure compliance with the requirements imposed by the Privacy Act. The contracting component shall have the responsibility to ensure that the contractor complies with the contract requirements relating to privacy.

#### INMATE REQUESTS TO INSTITUTION FOR INFORMATION

##### § 513.40 Inmate access to Inmate Central File.

Inmates are encouraged to use the simple access procedures described in this section to review disclosable records maintained in his or her Inmate Central File, rather than the FOIA procedures described in §§ 513.60 through 513.68 of this subpart. Disclosable records in the Inmate Central File include, but are not limited to, documents relating to the inmate's